

**REMARKS**

Applicant respectfully requests reconsideration and allowance of the subject application.

**35 U.S.C. § 101**

Claims 1-29 and 48-64 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant has amended independent claims 1, 12, 22, 23, 48, 51, 56 and 61 herein. Applicant submits that claims 1-29 and 48-64, as amended, are directed to statutory subject matter. Claims 1-29 and 48-64 have been amended to include structure or functionality in the body of the claims, as suggested in the Office Action.

Amended claims 1-29 and 48-64 recite more than an "abstract idea". Applicant submits that amended claims 1-29 and 48-64 are directed to statutory subject matter. Accordingly, Applicant respectfully requests that the §101 rejection be withdrawn.

**35 U.S.C. § 102**

Claims 1-30 and 38-65 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,598,028 to Sullivan et al. (hereinafter "Sullivan"). Applicant respectfully submits that claims 1-30 and 38-65 are not anticipated by Sullivan.

Sullivan discloses:

A central-based universal financial management/translation mechanism that offers individual users, small businesses and others, the opportunity to leverage competitive market forces in the currency trading arena, offered as a real-time account-feature for transactions conducted through centrally oriented universal financial management/translation mechanism.

Sullivan Abstract.

Further, Sullivan discloses "systems and methods that include mechanisms for facilitating international trade and investment involving conversion of currencies." Col. 1, lines 18-20. Thus, Sullivan focuses on a mechanism (the universal financial management/translation mechanism) that handles currency trading and currency conversion. However, the Sullivan reference fails to disclose or suggest the transfer of funds between user accounts at two different financial institutions.

Claim 1, as amended, recites:

A method comprising:  
 a processor initiating a withdrawal of assets from a first account at a first financial institution; and  
 the processor initiating a deposit of the withdrawn assets to a second account at a second financial institution, wherein the first account and the second account have a common account holder.

In rejecting claim 1, the current Office Action cites column 9, lines 7-30 and Figs. 2, 4 (and associated text) of the Sullivan reference (see page 5 of the current Office Action). The language at column 9, lines 7-30 of Sullivan states:

The universal financial management/translation mechanism 100, includes a first section directed toward managed equity accounts held by different subscribers, and a second section (i.e., a currency section) that is used by particular subscribers as a way for redeeming currency outlays, should currency be needed to be distributed to a particular entity as requested by the user. In addition, relationships with financial institutions 118 for example, will also allow various customers of those financial institutions 118, such as user 3 120, to benefit from the financial services offered by the universal financial management/translation mechanism 100. In the case of a particular subscriber, who creates and initiates an account with the mechanism 100, that particular user will initially populate a currency portion of the individual's account by making a deposit into an account. While the funds are deposited as a certain kind of currency, the specific value of that deposit is converted into a corresponding number of "shares" for use by the user. These funds may be redeemed in a particular currency or perhaps used to purchase shares in a growth and income fund. The funds may also be used to purchase equities managed by the mechanism 100. Alternatively, the deposit may be used to purchase contracts, such as options, derivatives, futures and hedge funds.

The Office Action fails to provide any explanation as to the relevance of the above-cited language. Although the cited language mentions converting currency into "shares" and mentions the purchase of equities, the cited language does not disclose the elements of claim 1. Converting currency into "shares" and purchasing equities is not the same as withdrawing assets from a first account at a first financial institution and depositing the withdrawn assets to a second account at a second financial institution, as recited in claim 1. The Sullivan reference fails to disclose any type of asset transfer between accounts at different financial institutions, in which the accounts have a common account holder.

In rejecting claim 1, the Office Action also cites Figs. 2, 4 (and associated text) of the Sullivan reference (see page 5 of the current Office Action). "Fig. 2 is a block diagram of a universal financial management/translation mechanism and

system according to the present invention". Col. 8, lines 46-48. "Fig. 4 is a flow-chart of a process that allows for price discovery for a particular currency conversion request, and employs this price discovery operations in order to service that particular currency conversion request". Col. 8, lines 51-54. The Office Action fails to provide any explanation as to the relevance of Figs. 2 and 4 (and the associated text). As discussed above, the universal financial management/translation mechanism of Fig. 2 performs various currency conversion functions and related operations. The text associated with Fig. 2 discusses various aspects of currency conversion and provides examples of currency conversion in different settings, such as credit card purchases, payment systems, and other purchases. These currency conversion functions are not the same as transferring assets between accounts at different financial institutions. Thus, Fig. 2 and the associated text fails to disclose or suggest the elements of claim 1. In particular, Fig. 2 and the associated text is silent as to transferring assets between accounts at different financial institutions, in which the accounts have a common account holder.

Regarding Fig. 4 of Sullivan, the flow chart shown is related to operations such as identifying collateral for a transaction, receiving currency rate data, and handling multiple currency conversion requests. The text associated with Fig. 4 discusses the various operations illustrated in Fig. 4. The operations shown and discussed with respect to Fig. 4 are related to currency conversion, which is not the same as transferring assets between accounts at different financial institutions. Accordingly, applicant submits that Fig. 4 and the associated text fails to disclose or suggest the elements of claim 1. In particular, Fig. 4 and the associated text

makes no mention of transferring assets between accounts at different financial institutions where the accounts have a common account holder.

Thus, for at least these reasons, Applicant respectfully submits that claim 1 is allowable over the Sullivan reference. Given that claims 2-11 and 54 depend from claim 1, Applicant respectfully submits that those claims are also allowable over the Sullivan reference for at least the reasons discussed above.

Claim 12, as amended, recites:

A method of transferring funds comprising:  
 implementing a first transaction comprising:  
     withdrawing funds by a financial management system from a first account at a first financial institution; and  
     depositing the withdrawn funds by the financial management system into a second account, wherein the first account and the second account have different account holders;  
 implementing a second transaction comprising:  
     withdrawing the deposited funds from the second account;  
 and  
     depositing the withdrawn funds into a third account at a second financial institution, wherein the second account and the third account have different account holders, and wherein the first account and the third account have a common account holder.

In rejecting claim 12, the Office Action cites column 9, lines 7-30 and Figs. 2, 4 (and associated text) of the Sullivan reference discussed above, as well as col. 10, lines 63-67 and col. 11, lines 1-3 and lines 50-58. (Office Action, pages 6-7). The cited language discusses, for example, currency conversion, making purchases, and maintaining "sub accounts" for different currencies. However, the cited language does not disclose or suggest two separate transactions to transfer funds

from a first account at one financial institution to a third account at another financial institution via an intermediate account, as recited in claim 12.

Thus, for at least these reasons, Applicant respectfully submits that claim 12 is allowable over Sullivan. Given that claims 13-21 depend from claim 12, Applicant respectfully submits that claims 13-21 are likewise allowable over Sullivan for at least the reasons discussed above.

Claim 22, as amended, recites:

A method comprising:

registering a plurality of financial accounts with a financial management system, wherein the registering of a plurality of accounts allows the transfer of funds between any pair of registered accounts; and

initiating a transfer of funds by the financial management system from a first registered account associated with a first financial institution to a second registered account associated with a second financial institution, wherein a third party entity initiates the transfer of funds.

In rejecting claim 22, the Office Action cites Figs. 2, 4 and associated text of the Sullivan reference. (Office Action, pages 6-7). As discussed above with respect to claim 1, the cited language does not disclose or suggest transferring funds from a first account at one financial institution to a second account at another financial institution, as recited in claim 22. Further, the cited language does not disclose or suggest that a third party entity initiates the transfer of funds, as recited in claim 22.

Thus, for at least these reasons, Applicant respectfully submits that claim 22 is allowable over Sullivan. Given that claims 23-30 and 55 depend from claim

22, Applicant respectfully submits that those claims are likewise allowable over Sullivan for at least the reasons discussed above.

Independent claims 38 and 42 contain limitations similar to those discussed above with respect to claim 1. Thus, for at least the reasons discussed above with respect to claim 1, Applicant submits that claims 38 and 42 are allowable over the Sullivan reference. Given that claims 39-41 and 43-47 depend from claim 38 and 42, respectively, Applicant submits that those claims are likewise allowable over Sullivan for at least the reasons discussed above.

Claim 48 recites:

A method comprising:  
initiating a transfer of funds from a first account at a first financial institution to a second account at a second financial institution, wherein the transfer of funds is performed using an Automated Clearing House network; and  
wherein the first account and the second account have a common account holder.

As discussed above with respect to claim 1, the Sullivan reference does not disclose or suggest transferring funds from a first account at a first financial institution to a second account at a second financial institution, as recited in claim 48.

Thus, for at least these reasons, Applicant respectfully submits that claim 48 is allowable over Sullivan. Given that claims 49-50 depend from claim 48, Applicant respectfully submits that those claims are likewise allowable over Sullivan for at least the reasons discussed above.

Claim 51, as amended, recites:

A method comprising:

a processor initiating a withdrawal of funds from a first account at a first financial institution, wherein an instruction for the withdrawal of funds is initiated by an entity other than the first financial institution; and

the processor initiating a deposit of the withdrawn funds to a second account at a second financial institution, wherein an instruction for the deposit of the withdrawn funds is initiated by an entity other than the second financial institution.

The Sullivan reference does not disclose the elements recited in claim 51. In particular, the Sullivan reference fails to disclose “initiating a withdrawal of funds from a first account ... by an entity other than the first financial institution ... and initiating a deposit of the withdrawn funds to a second account ... by an entity other than the second financial institution” (emphasis added) as recited in claim 51.

Thus, for at least these reasons, Applicant respectfully submits that claim 51 is allowable over Sullivan. Given that claims 52-53 depend from claim 51, Applicant respectfully submits that those claims are likewise allowable over Sullivan for at least the reasons discussed above.



Claim 56, as amended, recites:

A method comprising:  
opening a new account at a first financial institution;  
identifying a second account at a second financial institution; and  
initiating a transfer of funds from the second account to the new account by a financial management system, wherein the new account and the second account have a common account holder, and wherein a third financial institution initiates the transfer of funds from the second account to the new account.

Sullivan does not disclose the elements recited in claim 56. In particular, Sullivan fails to disclose "...initiating a transfer of funds from the second account to the new account ... wherein a third financial institution initiates the transfer of funds...." as recited in claim 56. Sullivan does not address this type of transfer initiated by a third financial institution.

Thus, for at least these reasons, Applicant respectfully submits that claim 56 is allowable over Sullivan. Given that claims 57-60 depend from claim 56, Applicant respectfully submits that those claims are likewise allowable over Sullivan for at least the reasons discussed above.

Claim 61, as amended, recites:

A method comprising:

a financial management system transferring assets from a first account at a first financial institution to a second account at a second financial institution via a debit instruction, wherein the first account and the second account have different account holders; and

the financial management system transferring assets from the second account to a third account at a third financial institution via a credit instruction, wherein the second account and the third account have different account holders, and wherein the first account and the third account have a common account holder.

Applicant submits that Sullivan does not disclose the elements recited in claim 61. In particular, Sullivan fails to disclose "...transferring assets from a first account at a first financial institution to a second account at a second financial institution via a debit instruction ... and ... transferring assets from the second account to a third account at a third financial institution via a credit instruction ...." as recited in claim 61. Sullivan does not address this type of asset transfer between multiple financial institutions.

Thus, for at least these reasons, Applicant respectfully submits that claim 61 is allowable over Sullivan. Given that claims 62-65 depend from claim 61, Applicant respectfully submits that those claims are likewise allowable over Sullivan for at least the reasons discussed above.

Applicant respectfully requests that the §102 rejections be withdrawn.

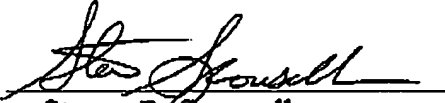
### **Conclusion**

Claims 1-30 and 38-72 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application.

Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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